



FLOYD COUNTY BOARD OF EDUCATION  
Danny Adkins, Superintendent  
442 KY RT 550  
Eastern, KY 41622  
Telephone (606) 886-2354 Fax (606) 886-4550  
www.floyd.kyschools.us

Sherry Robinson- Chair - District 5  
William Newsome, Jr., Vice-Chair - District 3  
Linda C. Gearheart, Member - District 1  
Dr. Chandra Varia, Member- District 2  
Rhonda Meade, Member - District 4

## Issue Paper

**Date:** March 11, 2020

**Action/Discussion Item:** To review and approve an agreement between The Business & Education Leadership Authority to provide Dr. Adolph Brown as opening day speaker for the 2020/2021 school year. (Agreement Attached)

**Applicable Statutes or Regulation:** KRS 162.90 Powers and Duties of the local board and Floyd County Board of Education policy 03.2234

**Issue:** Dr. Adolph Brown, III without a doubt, offers the most uniquely inspiring, relevant and entertaining presentations around. He is an American urban and rural school educator, author, research-scientist, businessman, and keynote speaker. He is admired around the world for his simple and direct "Real Talk," and powerful, universal and timeless teachings. Dr. Brown is best known for inspiring all who hear him to learn, laugh and lead. **He is highly regarded as the "balcony" leadership speaker who gets you from where you are to where you want to be.** Also as a credentialed Master Teacher, he helps teachers reach every student. Dr. Brown skillfully addresses the impact of stereotypes. He credits much of his success to the luxury of humble beginnings of being reared by a single parent mother in abject poverty of the inner city housing projects infested with gangs, drugs and violence.

**Background:** Floyd County Schools traditionally kicks off each school year with a meeting of ALL staff members at the Mountain Arts Center. The Kick-Off is highlighted by a motivational speaker to help ensure our staff are motivated to do what is best for children – whether you are a custodian, bus driver, cook, secretary, teacher, principal or central office personnel – a little inspiration can go a long way to help lead our district in a positive direction. Dr. Brown is a speaker who will inspire all to be the best they can be for our kids!

**Fiscal/Budgetary Impact:** Budget Impacts are outlined in the agreement (Attached)

**Alternative:** To deny the agreement request.

**Recommended Action:** To approve an agreement between The Business & Education Leadership Authority to provide Dr. Adolph Brown as opening day speaker for the upcoming school year.

**Contact Person(s):**

Cassandra Akers / 606.886.2354 Ext. 5526

  
Principal

Director of Instruction

  
Superintendent

The Floyd County Board of Education does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, or disability in employment, educational programs, or activities as set forth in Title IX & VI, and in Section 504.

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# The Business & Education Leadership Authority

Professional Development • Research • Consultation

## THE BUSINESS & EDUCATION LEADERSHIP AUTHORITY

### Service Agreement

This agreement is hereby made and entered into this 12th day of March, 2020 by and between The Business & Education Leadership Authority ("SP") and Floyd County Schools ("CLIENT") as set forth below according to the following terms, conditions, and provisions:

### 1. Identity of CLIENT

Floyd County Schools  
442 KY Route 550  
Eastern, KY 41622

(Hereinafter "CLIENT")

### 2. Identity of Service Provider - "SP"

The Business & Education Leadership Authority  
P.O. Box 65098  
Virginia Beach, VA 23467  
757-499-7005  
(Hereinafter "SP")

### 3. Service Provided

SP shall perform the following services.

Dr. Adolph Brown will provide a Teaching and Learning Excellence Consultation and Presentation as follows:

August 17, 2020: One 90 minute keynote for the staff

### 4. Terms of Payment

Client agrees to pay SP for services rendered according to the following schedule.

CLIENT agrees to pay SP a service fee of \$ 9,500.00. A deposit in the amount of \$ 4,750.00 is due on March 26, 2020 (Invoice # 2384.) The final speaker fee of \$ 4,750.00 is due on August 17, 2020 (Invoice # 2385.) CLIENT acknowledges that if CLIENT requests SP to perform any additional projects or services, such additional project or service shall be subject to a separate compensation arrangement.

CLIENT also acknowledges that the CLIENT will be charged a late fee of 10% of the fee due if not paid in full on the due dates unless other arrangements have been agreed to by CLIENT and SP in writing.

Checks must be made payable to The Business & Education Leadership Authority, P.O. Box 65098, Virginia Beach, VA 23467-5098. Tax ID # 61-1729548. If CLIENT elects to pay fees by credit card, an additional fee of 5% of the total invoice amount will be added to the total amount due.

## 5. Travel Expenses

This agreement is inclusive of all travel expenses. There will be no additional travel expenses charged.

## 6. Recording

CLIENT and SP agree to the following.

CLIENT will not audio or video record the presentation outlined in item 3.

## 7. Additional Obligations of CLIENT

CLIENT will provide the following:

1. Hand held wireless microphone (to allow Dr. Brown to move freely on and off the stage)
2. Electrical outlets and extension cords (near the products table and the tech table)
3. Sound Check 1 hour before Dr. Brown's presentation time
4. Is there a house sound system? Dr. Brown will need to connect the iPad into the House Sound system, Audio only, to be controlled from the sound booth or back of the room. He will need PC audio.
5. We will bring a Laptop (Mac) for use during Dr. Brown's Session, to be controlled from the sound booth or back of the room.
6. *iPad and laptop will be controlled by one person and will need to be in the same area*
7. The ability to project photos and video with sound from the internet, or a USB drive, onto a screen.
8. A session schedule, or conference program sent prior to the event date
9. A bottle of water (for presentations over 60 minutes)
10. Bar Stool for use on stage
11. Stage or Platform (with plenty of room/no obstructions)
12. Products Tables: Four 6 foot tables and 2 chairs located either in the back of the speaking room (**if not in use after the presentation**) or directly outside of the speaking room, near an electrical outlet for a **meet and greet** with Dr. Brown and to facilitate the display and sale of books and other products that support Dr. Brown's Message. **For Adult Audiences Only**
13. A Reserved Parking space close to the venue (for unloading production equipment)
14. Select and introduce Dr. Brown with any one of the introductions provided at <http://www.docspeaks.com/presentation-intros>

## 8. Recommendations

It is recommended that the audience participants receive on-going training to ensure consistency and continuity of implementation for optimum results. Additionally, Dr. Brown's training is very specific therefore fidelity of implementation is of utmost importance and monitoring is key to the success of implementation. The Business & Education Leadership Authority can offer guidance, support and training opportunities for other groups within your organization for an additional charge.

## 9. Acceptance of Agreement

CLIENT and SP agree to the following.

The above prices, specifications, and conditions are satisfactory and are hereby accepted. SP is authorized to complete the services as specified and CLIENT will make payment as outlined. Any changes in this agreement must be prearranged and agreed to by CLIENT and SP in writing.

## 10. Termination of Agreement

Termination following receipt of the signed service agreement: CLIENT will refund all travel expenditures made by SP and pay a service charge of 50% of the service fee to SP

Termination 90 days or less prior to the service date: CLIENT will refund all travel expenditures made by SP and pay a service charge of 75% of the service fee to SP

## 11. Force Majeure

Neither party to this Agreement shall be liable for delay or failure in the performance of any of its obligations hereunder if such delay or failure is due to causes beyond its reasonable control including, without limitation, acts of God, fires, earthquakes, extreme weather or other emergency, strikes and labor disputes, acts of war, civil unrest or intervention of any governmental authority except as expressly provided herein, but any such delay or failure shall be remedied as both parties will agree on a reschedule date within one calendar year from the original service date without penalty, all original Service Agreement terms will apply.

## 12. Indemnification

CLIENT will indemnify and hold harmless SP and its officials, agents, employees, and volunteers from any and all claims, losses or expenses arising out of the performance of this Service Agreement including all litigation expenses and attorney's fees.

## 13. Signatures

By signing below, CLIENT hereby certifies that the undersigned is, in fact, the CLIENT, or has been given the authority to bind the CLIENT by signing below.

The Business & Education Leadership Authority:

By: Marla Hazel

Printed: Marla Hazel

Date: March 3, 2020

Title: Director

Name of CLIENT:

By: \_\_\_\_\_

Date: \_\_\_\_\_

Printed: \_\_\_\_\_

Title: \_\_\_\_\_

P.O. Box 65098  
Virginia Beach, VA 23467 US



**The  
Business & Education  
Leadership Authority**

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**BILL TO**  
Floyd County  
442 KY Route 550  
Eastern, KY 41622

**INVOICE # 2384**  
**DATE** 03/12/2020  
**DUE DATE** 03/26/2020  
**TERMS** 2 Weeks

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DESCRIPTION	DATE	QUANTITY	RATE	AMOUNT
<b>Presentation</b> Presentation by Dr. Adolph Brown for one 90 minute keynote for the staff.	08/17/2020	0.50	9,500.00	4,750.00
Deposit				

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Make checks payable to  
THE BUSINESS & EDUCATION LEADERSHIP AUTHORITY  
P.O. BOX 65098  
VIRGINIA BEACH, VA 23467

**BALANCE DUE**

**\$4,750.00**

P.O. Box 65098  
Virginia Beach, VA 23467 US



**The  
Business & Education  
Leadership Authority**

Professional Development • Research • Consultation

**BILL TO**  
Floyd County  
442 KY Route 550  
Eastern, KY 41622

**INVOICE # 2385**  
**DATE 03/12/2020**  
**DUE DATE 08/17/2020**

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DESCRIPTION	DATE	QUANTITY	RATE	AMOUNT
<b>Presentation</b> Presentation by Dr. Adolph Brown for one 90 minute keynote for the staff.	08/17/2020	0.50	9,500.00	4,750.00
Final				

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Make checks payable to  
THE BUSINESS & EDUCATION LEADERSHIP AUTHORITY  
P.O. BOX 65098  
VIRGINIA BEACH, VA 23467

**BALANCE DUE**

**\$4,750.00**

# Request for Taxpayer Identification Number and Certification

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Give Form to the  
requester. Do not  
send to the IRS.

Print or type.  
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

**THE BUSINESS & EDUCATION LEADERSHIP AUTHORITY**

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC

☐ C Corporation

☐ S Corporation

☐ Partnership

☐ Trust/estate

☒ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► **S**

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ►

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) \_\_\_\_\_

Exemption from FATCA reporting code (if any) \_\_\_\_\_

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

**PO BOX 65098**

Requester's name and address (optional)

6 City, state, and ZIP code

**VIRGINIA BEACH, VA 23467**

7 List account number(s) here (optional)

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

\_\_\_\_ - \_\_\_\_ - \_\_\_\_

OR

Employer identification number

6 1 - 1 7 2 9 5 4 8

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign  
Here

Signature of  
U.S. person ►

*Marla Hays*

Date ► **January 8, 2020**

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.